

BEFORE THE  
OFFICE OF ADMINISTRATIVE HEARINGS  
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

SAN JUAN UNIFIED SCHOOL  
DISTRICT.

OAH CASE NO. 2012090160

ORDER DENYING REQUEST FOR  
RECONSIDERATION

On September 12, 2012, the undersigned administrative law judge (ALJ) issued an order that granted in part and denied in part Student's motion for stay put against the San Juan Unified School District (District). On October 1, 2012, Student filed a request for reconsideration with the Office of Administrative Hearings (OAH) that sought clarification as to accommodations the District is to implement and implementation of staff training. On October 5, 2012, the District filed an opposition to the request. On October 8, 2012, Student filed a reply brief.

APPLICABLE LAW

OAH will generally reconsider a ruling upon a showing of new or different facts, circumstances, or law justifying reconsideration, when the party seeks reconsideration within a reasonable period of time. (See, e.g., Gov. Code, § 11521; Code Civ. Proc., § 1008.) The party seeking reconsideration may also be required to provide an explanation for its failure to previously provide the different facts, circumstances or law. (See *Baldwin v. Home Savings of America* (1997) 59 Cal.App.4th 1192, 1199-1200.)

DISCUSSION AND ORDER

Student alleges no new facts, circumstances, or law in support of the request reconsideration that was not already raised in the prior motion for stay put and considered by the undersigned ALJ in the September 12, 2012 order. Additionally, Student's motion was not timely because it was filed 19 days after the September 12, 2012 order with no explanation for the delay in the filing the request for reconsideration. Accordingly, Student's request for reconsideration is denied.

IT IS SO ORDERED.

Dated: October 8, 2012

/s/

PETER PAUL CASTILLO

Administrative Law Judge

Office of Administrative Hearings

